IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

GREGORY HOLDEN : CIVIL ACTION

[AY-2898]

:

v.

:

WYNDER, et al.

NO. 06-5202

ORDER

AND NOW, this I day of Seplember, 2007, upon consideration of the pleadings and the record herein, and after review of the Report and Recommendation of M. Faith Angell, United States Magistrate Judge, it is hereby **ORDERED** that:

- 1. The Report and Recommendation is **APPROVED AND ADOPTED**.
- 2. The Petition for Writ of habeas Corpus is **DENIED AND DISMISSED AS TIME BARRED** under 28 U.S.C. §2244(d)(1).
- 3. Petitioner's First Motion for Equitable Relief in the Exercise of this Court's Inherent
 Article (3) Powers and-or for from Judgement (Docket Entry No. 5) is **DENIED.**There is no probable cause to issue a certificate of appealability.

BY THE COURT:

J. CÚRTIS JOYNER